

MESSAGE NO: 7127209 MESSAGE DATE: 05/07/2007

MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5299203  
MESSAGE #  
(s):

CASE #(s): C-427-819

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2006 TO 12/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LOW ENRICHED URANIUM FROM FRANCE (EXCEPT EURODIF; COMPAGNIE GENERAL; COGEMA; AREVA NC; AREVA NC, INC.)(C-427-819)

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CASES: C - 427 - 819

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PERIOD COVERED: 01 01 2006 TO 12 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LOW ENRICHED URANIUM FROM FRANCE (EXCEPT EURODIF; COMPAGNIE GENERAL; COGEMA; AREVA NC; AREVA NC, INC.)(C-427-819)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER FOR LOW ENRICHED URANIUM FROM FRANCE (C-427-819) FOR THE PERIOD 1/1/2006 THROUGH 12/31/2006 EXCEPT FOR THE COMPANIES IDENTIFIED IN PARAGRAPH 2 BELOW.

2. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT

RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER 1/1/2006 AND ON OR BEFORE 12/31/2006.

LOW ENRICHED URANIUM FROM FRANCE (C-427-819) 01/01/2006-12/31/2006.

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

EURODIF S.A. C-427-819-001

COMPAGNIE GENERALE DES MATIERES NUCLEAIRES C-427-819-001

COGEMA, INC. C-427-819-001

AREVA NC

(ENTRIES MAY HAVE ENTERED UNDER C-427-819-000)

AREVA NC, INC.

(ENTRIES MAY HAVE ENTERED UNDER C-427-819-000)

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THIS PERIOD.

4. IN ADDITION, AS EXPLAINED IN MESSAGE #5299203 DATED 10/26/2005, THERE IS A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF CERTAIN ENTRIES WHICH ARE SUBJECT TO THE COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (C-427-819) THAT WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A. AND COMPAGNIE GENERALE DES MATIERES NUCLEAIRES FOR THE PERIODS ON

OR AFTER 01/01/2003 THROUGH 12/31/2003.

5. THEREFORE, UNTIL FURTHER NOTICE DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A., COMPAGNIE GENERALE DES MATIERES NUCLEAIRES AND

WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION,

DURING THE PERIOD: (A) ON OR AFTER 01/01/2003 THROUGH 12/31/2003; (B) AND REMAIN UNLIQUIDATED AS OF 5 O'CLOCK P.M. ON 10/25/2005, THE FIFTH BUSINESS DAY AFTER THE DAY UPON WHICH COPIES OF THIS ORDER WERE PERSONALLY SERVED BY PLAINTIFFS UPON ANN SEBASTIAN OF IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, OR HER DELEGATES.

6. IN ADDITION, AS EXPLAINED IN MESSAGE #4315202 DATED 11/10/2004, THERE IS A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF CERTAIN ENTRIES WHICH ARE SUBJECT TO THE COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (C-427-819) THAT WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A., COMPAGNIE GENERALE DES MATIERES NUCLEAIRES AND COGEMA INC. FOR THE PERIOD ON 05/14/2001 THROUGH 09/11/2001 AND ON OR AFTER 02/13/2002 THROUGH 12/31/2002.

7. THEREFORE, UNTIL FURTHER NOTICE DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A., COMPAGNIE GENERALE DES MATIERES NUCLEAIRES AND COGEMA, INC. AND WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE

FOR CONSUMPTION, DURING THE PERIODS: (A) ON OR AFTER 05/14/2001 THROUGH 09/11/2001; OR (B) ON OR AFTER 02/13/2002 THROUGH 12/31/2002; AND REMAIN UNLIQUIDATED AS OF 5 O'CLOCK P.M. ON 11/12/2004, THE FIFTH BUSINESS DAY AFTER THE DAY UPON WHICH COPIES OF THIS ORDER WERE PERSONALLY SERVED BY PLAINTIFFS UPON ANN SEBASTIAN OF IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, OR HER DELEGATES.

8. IN ADDITION, AS EXPLAINED IN MESSAGE #3308211 DATED 11/04/2003, THERE IS A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF CERTAIN ENTRIES WHICH ARE SUBJECT TO THE

COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (C-427-819) THAT WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A., COMPAGNIE GENERALE DES MATIERES NUCLEAIRES, AND COGEMA, INC. FOR

THE PERIOD 05/14/2001 THROUGH 09/11/2001 AND ON OR AFTER 02/13/2002.

9. THEREFORE, UNTIL FURTHER NOTICE DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WERE ENRICHED AND/OR EXPORTED BY EURODIF S.A., COMPAGNIE GENERALE DE MATIERES NUCLEAIRES AND COGEMA, INC. AND WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, DURING THE PERIODS: (A) 05/14/2001 THROUGH 09/11/2001; OR (B) ON OR AFTER 02/13/2002; AND REMAIN UNLIQUIDATED AS OF 5 O'CLOCK P.M. ON 07/2/2002, THE FIRST BUSINESS DAY AFTER THE DAY UPON WHICH COPIES OF THIS ORDER WERE PERSONALLY SERVED BY PLAINTIFFS UPON ANN SEBASTIAN OF IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, OR HER DELEGATES.

10. THE NOTICE OF SUSPENSION OF LIQUIDATION FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR AFTER 01/01/2006 AND ON OR BEFORE 12/31/2006 EXCEPT AS NOTED IN PARAGRAPHS 2 AND 4 THROUGH 9 ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW (72 FR 14516, 03/28/2007). THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/2006 WILL CONTINUE.

11. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT WHICHEVER IS LATER, OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

12. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES SHOULD CONTACT DAVINA HASHMI OR RON TRENTAM OF THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-0984 OR (202) 482-3577 RESPECTIVELY. (GENERATED BY O3:GL).

13. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party